IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey S. Ross Art Unit: 1642

Serial No.: 10/736,112 Examiner: Minh-Tam B, Davis

Filed : December 15, 2003 Conf. No. : 5668

Title : METHODS OF DIAGNOSING AND TREATING CANCER

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being electronically filed in accordance with \S 1.6(a)(4), on the 2^{nd} day of February, 2010.

/Laurie Butler Lawrence/ Laurie Butler Lawrence, Reg. No. 46,593

Mail Stop Amendment-AF Commissioner for Patents

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the action dated November 4, 2009, finally rejecting claims 1, 8, 10-16, 33 and 34.

Please apply the \$540 appeal fee, and any other necessary charges, or any credits, to Deposit Account No. 50/2762, referencing Deposit Account No. M2051-700410.

Respectfully submitted, Jeffrey S. Ross, Applicant

By: /Laurie Butler Lawrence/

Laurie Butler Lawrence, Reg. No. 46,593 LANDO & ANASTASI, LLP

One Main Street

Cambridge, Massachusetts 02142 United States of America Telephone: 617-395-7000

Facsimile: 617-395-7070

Date: February 2, 2010

Attorney Docket No.: M2051-700410